IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4045 of 2006
With
SPECIAL CIVIL APPLICATION No. 4046 of 2006
To
SPECIAL CIVIL APPLICATION No. 4053 of 2006
With
SPECIAL CIVIL APPLICATION No. 2782 of 2006
To
SPECIAL CIVIL APPLICATION No. 2784 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE M.C.PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PATEL MAGANBHAI BHUDARBHAI & 8 - Petitioner(s)

Versus

STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR AMIT C NANAVATI for Petitioner(s) : 1 - 9.
MR SP HASURKAR, AGP for Respondent(s) : 1,
None for Respondent(s) : 2,
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CORAM : HONOURABLE MR.JUSTICE B.J.SHETHNA
and
HONOURABLE MR.JUSTICE M.C.PATEL

Date : 06/03/2006

COMMON ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE B.J.SHETHNA)

Rule. Learned AGP Shri Hasurkar appearing on the advance copy being served upon him, waives service for the respondents. The question is the same, therefore, all these petitions are disposed of by this common judgment.

2. The point involved in these petitions is squarely covered by the Division Bench judgment dated 16th December, 2005 delivered in Special Civil Application No.23810 of 2005 which is annexed as Annexure 'E' to the main petition. In terms of the said judgment, all these petitions are allowed by quashing and setting aside the impugned order dated 29th December, 2005 passed by the respondent no.2. Now, the matters are remanded to the respondent no.2 who will decide the matters on merits strictly in accordance with law. Rule is made absolute in all the petitions without any order of cost.

(B.J. Shethna, J.)

(M.C. Patel, J.)

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